

ARISTOTLE'S THEORY OF JUSTICE AND THE MODERN WORLD**

Hideya Yamakawa*

I

The ancient Greeks' way of thinking about the cosmos was proportional. Through revealing a third term, i. e. *tertium comparationis* between two different terms which seemed at first glance to have no relation each other, they brought them into a new significant set of relations. This way of thinking by proportion played a significant role in Greek mathematics. In the beginning of the fifth century BC, perhaps, Greek's proportional thinking gave birth to the theory of rational proportions prior to the epochmaking discovery of irrationality, and in the middle of the fourth century BC it crystallized into the beautiful theory of proportions found in Book v of the Euclidean *Elements* and which is usually attributed to Eudoxus, a younger contemporary of Plato.¹⁾

The theory of proportions found in *Elements* typifies *par excellence* not only the essence of Greek mathematics but also Greek spirit

* Professor of Philosophy at St. Andrew's University, JAPAN

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in general.²⁾ The proportional way of thinking extended to all fields of Greek culture. It goes without saying that Plato's and Aristotle's political theories, above all their theory of "Justice", were penetrated thoroughly with their proportional thinking. Their theories about Justice were important inheritances from the cosmological thinking of Presocratic philosophers. Greek's world view was geometrical, and its geometrical character crystallized into the concept of "the mean proportional".³⁾

This way of thinking about the world by the Greeks influenced their formation of the concept of man. The Greeks from Hesiod to Aristotle are responsible to the formation and the establishment of a viewpoint of 'man' indigenous to European 'Weltanschauung', i. e. to take the view of 'man' as being 'mean ($\mu\acute{\epsilon}\sigma\sigma\omicron\nu$)' between 'god' and 'animal'. They understood 'man' in relation to 'god' as ' $\theta\upsilon\nu\eta\tau\acute{o}\varsigma$ ' and in relation to 'animal' as ' $\theta\epsilon\acute{\iota}\omicron\varsigma$ '. They grasped the essence of man by the following proportion ($\acute{\alpha}\nu\alpha\lambda\omicron\gamma\acute{\iota}\alpha$)⁴⁾:

God: Man:: Man: Animal.

In the Hellenistic period, getting acceptance by Christianity founded on the theology of creation, this original Greek viewpoint of man became a critically significant cultural inheritance of Europeans, and in due course of time, according to the opinion of Eugen Fink, this viewpoint of man gave birth to the fundamental matrix of the 'Kentaurische Metaphysik' of Europe.⁵⁾ It was the matrix which functioned as a prototypical reference pattern in order to build the "sacred" European world-order.

This matrix, however, was also very useful for the purpose of, making use of a parody of Spanish historian Luis Diez del Corral's famous wording, justifying 'the rape of Barbarian world by Europe'. The native fields of the Slavs, American Indians, Africans, South-west Asiatic nations, Indians, Chinese, and even Japanese in the Far East had to undergo the mighty raping by Europeans. European science and technology, the European way of constructing of the

world (*οἰκουμένη*), and the eschatological viewpoint of history spread out quickly all over the world, and then they were immediately transformed and imitated by non-European nations in a very short time.⁶⁾

In their gambling, properly speaking, the competing counterparts of the gambling become gradually to have something in common with one another and become more and more to have very similar figures as if they were originally twin brothers.⁷⁾ The consequences of this competition were very diverse reactions from the non-European nations. At all events the political, economical and technological counter-attacks from the non-European nations have rocked Europe to its foundation so seriously, that Europe has not been any longer an autonomous 'world' but has become just a small local part of the world.

It appeared that a real 'Rape of Europe' began to proceed. The European world began to fall into 'Unwelt' (M. Heidegger).⁸⁾

Just at this point of time, being frightened at unknown invaders, for example, at Japanese launching to the economic world, the Third World and Europe gave Japanese a nickname, "Economic Animal". This labelling of the Japanese as an "Economic Animal" was, of course, consciously or unconsciously, an analogical replacing of 'Japanese' for "Animal" into the third term in the *ἀναλογία*:

God : Man :: Man : Animal.

In this paper, I would like to examine the theory of Justice according to Aristotle and Plato in close relation to the *ἀναλογία*: "God : Man :: Man : Animal". And taking a broad view of the critical aspects of the modern world and further retrospecting the significance of the earlier greek philosophers, for example, Anaximanders and Heraclitus' thinking about the 'life' and 'Justice', I would like to insist that without the destruction and reconstruction of their theories by means of their great master Socrates' teaching about "awakening from ignorance" in view of the concept

of 'death', their theories of Justice could not be valid.

II

It seems unobjectionable that Aristotle also gave to man a position as a mean proportional between the god and the animal. In order to clarify the case in short, in the following I would like to take up Aristotle's famous definition of the man as 'political animal' in *his Politics* 1253a. Aristotle says as follows:⁹⁾

"man is by nature a political animal, ... And it is a characteristic of man that he alone has any sense of good and evil, of just and unjust, and the like, and the association of living beings who have this sense makes a family and a state, ... But he who is unable to live in society, or who has no need because he is sufficient for himself, must be either a beast or a god: he is no part of a state."

In this context, if we make up the necessary complement about god's sense of good and evil and the like, we may conclude that Aristotle's conception about man is as follows:

	<i>A(God)</i>	<i>B(Man)</i>	<i>C(Beast)</i>
F A C T O R S	<i>a</i> : no need of association	<i>a'</i> : in need of association	<i>a'</i> : in need of association
	<i>b</i> : having sense of good and evil	<i>b'</i> : having sense of good and evil	<i>b'</i> : not having sense of good and evil

viz. he grasps the god(*A*), the man(*B*) and the beast(*C*) respectively as follows:

$$A=ab, B=a'b, C=a'b'$$

i. e. he grasps the essence of the man by the following proportion:

$$ab : a'b :: a'b : a'b'$$

Namely, Aristotle in this place grasps the essence of man as a mean proportional $a'b$ between ab and $a'b'$.

Now I want to elucidate in detail what implications the concept of 'beast' in this context have. Aristotle says as follows:¹⁰⁾

"Hence it is evident that the state is a creature of nature, and that man is by nature a political animal. And he who by nature and not by mere accident is without a state, is either a bad man or above humanity; he is like the

'Tribeless, lawless, hearthless one,'

whom Homer denounces—the natural outcast is forthwith a lover of war; he may be compared to an isolated piece at draughts." ((*Pol.*, 1253a1-7)

In this place Aristotle says substantially the same as the previously quoted lines, but the wording is significantly different. Here, being different from the previous locus, 'he who is by nature without a state' is substituted for 'a bad man like the tribeless, lawless, hearthless one' leaving the god as it was. Why is it acceptable that 'a man who is without a state' finds his position turned into that of 'the beast' in the midst of giving a definition of 'man' as a 'political animal'? It is because Aristotle identifies such a man with a beast. Such a man cannot find his position in the category of 'man' according to Aristotle's opinion. It is obvious from this that in his utterance on *'θηρόν ἢ θεός'* Aristotle has not necessarily in mind 'the beast' in a strictly zoological sense. It is dubious however if one could specify 'the beast' from a zoological point of view. We must insist that the beast could be no less definable than 'weeds' which are not so by morphological botany. 'Weeds' are our subjective projection into the outer world aiming at exclusion of the useless grasses for us from useful ones. They are not 'by nature weeds'. The word 'weed' is a value symbol attached to some kinds of grasses from an artificial point of view relative to human cultures.¹¹⁾

It is evident that Aristotle here uses the word 'beast' (*θηρίον*) as a certain kind of value-symbol which gets its function founded on a particular understanding of 'man'. On this understanding of 'man' he characterizes the god as *κρείττων ἢ ἄνθρωπος* and the beast as *φύσει φαῦρος*. What is, then, the so-called *φύσις* of 'man', exactly speaking?

III

It is a well-known fact that Aristotle's philosophy is permeated throughout by his teleological conception of the cosmos. Why does an acorn grow to be an oak, but not a maple? Aristotle would reply this question in such a way that "it depends upon the potential properties of the acorn, potentially, albeit not actually, the acorn is already an oak." Aristotle's conception of the natural phenomena as the striving for a goal may be fruitful as a guiding principle in the fields of biology because it is striking for everyone's eye that in the fields of the biological subjects of investigation "Nature behaves as if it foresaw the future." (*De Caelo*, II 9, 291a24). Every living creatures involves within itself respective goals, norms, standards, targets and intrinsic paradigms or *entelecheia* for respective species from which deviated individuals are called abnormal, perverse and deformed ones.

Why, then, does the deformed living thing *e. g.* a man with two private parts or a goat who has a foot with horns come into being? If it were necessarily the case that every living thing would attain its specific goal, then under any circumstance no unnatural individual (*τῶν παρὰ φύσιν τι*) could exist in the world. Such a world however would not be of an animate nature, but a mechanistic world which is subject to the inexorable law of necessity. There is no unnatural event where the law of necessity always dominates. The unnatural things as deviations from the normal courses prescribed by specific forms arise only when "Formal nature could

not control the material nature". (*De Gen. An.* 770b)¹²⁾

Aristotle's political thought is firmly rooted in his conception of the human nature. He insists that the state should not exist merely by convention but should be founded on human nature. But human nature in its truest sense is to be found in the goal towards which it moves.

"For what each thing is when fully developed, we call its nature, whether we are speaking of a man, a horse..." (*Polit.*, I2, 1252b32-34)¹³⁾

"Further, the state is by nature clearly prior to the family and to the individual, since the whole is of necessity prior to the part; for example, if the whole body be destroyed, there will be no foot or hand, except in an equivocal sense, as we might speak of a stone hand;" (1253a18-22)¹⁴⁾

In his conception of the best state Aristotle took as his model the elementary parts of household management; Before developing the ideas on the state we must consider the constituents of the house from which the state is derived by nature. These constituents are three natural relations of master and slave, of husband and wife, and of father and children. We must pay attention to the natural conditions of these ruling-subordinating relations.

Discussing the relation of master and slave Aristotle finds himself faced with the view which holds that "the rule of a master over slaves is contrary to nature...and the distinction between slave and freeman exists by law only, and not by nature; and being an interference with nature is therefore unjust." (1253b20-22)¹⁵⁾

Aristotle rejects this view as follows:

"It is clear that the rule of the soul over the body, and of the mind and the rational element over the passionate, is natural and expedient; whereas the equality of the two or the rule of the inferior is always hurtful. The same holds good with animals in relation to men; ... Again, the male is by nature superior, and the

female inferior; and the one rules, and the other is ruled; this principle, of necessity, extends to all mankind... Where then there is such a difference as that between soul and body, or between men and animals (as in the case of those whose business is to use their body, and who can do nothing better), the lower sorts are by nature slaves, and it is better for them as for all inferiors that they should be under the rule of master. For he who can be, and therefore is, another's and he who participates in rational principle enough to apprehend, but not to have, such a principle, is a slave by nature. Whereas the lower animals cannot even apprehend a principle; they obey their instincts. And indeed the use made of slaves and of tame animals is not very different; ... It is clear, then, that some men are by nature free, and others slaves, and that for these latter slavery is both expedient and right." (1254b4-1255a2)¹⁶⁾

Slave and woman are ontologically (*φύσει*) the same being with the beast according to Aristotle's opinion. They are the substituends for the term 'a/b' in previous proportional formula. However, one may advocate him as follows: his conception of the slavery possibly leaves no room for defence, but Aristotle qualifies wife and children for freemen on condition that the head of family must undertake the task of guidance for them, and it is natural.

Concerning the children the saying may be valid, because Aristotle says: "The rule of father over children is royal, for he rules by virtue both of love and the respect due to age, exercising a kind of royal power" (1259b10-13)¹⁷⁾. However, his conception of wife and woman as freeman leaves no room for defence (and the slave woman is out of the question). It is true he admits that the constitutional rule i. e. the rule of citizen over citizen is suitable for them because they are free men, but he adds: although in constitutional states "the citizens rule and are ruled by turns,... the relation of the male to female is of this kind, but there the

inequality is permanent" (1259b9-10)¹⁸⁾. Behind this utterance Aristotle's observation as a biologist is active; Anyone who reads Aristotle's zoological writings can detect in this or that places such words as "the woman must be regarded like a deformed by nature" (*De gen.anim.*, 775a)¹⁹⁾.

IV

Now I would like to turn about Aristotle's theory of justice in *Nichomachean Ethics* Vol. V and to focus my attention on his theory of justice in distribution (*τὸ διανεμητικὸν δίκαιον*) and of justice in reciprocity (*τὸ ἀντιπεπονηθὸς δίκαιον*).

In the first place, let us cast a glance at justice in distribution. How can we effect justice in distribution? In order to make this clear we must first admit the following premisses (*N.E.V3, 3-4*)²⁰⁾.

- I 1) *τὸ ἄδίκον* is an *ἄνισον*, hence *τὸ δίκαιον* is an *ἴσον*.
- 2) *τὸ ἴσον* is a *μέσον*, hence *τὸ δίκαιον* is a *μέσον*.
- 3) A *μέσον* is between certain extremes which are *πλέον* and *ἐλάττω*.
- 3-1) *τὸ ἴσον* concerns two different things at least.
- 3-2) *τὸ δίκαιον* is relative to two different persons at least.
- 4) Therefore *τὸ δίκαιον* implies four terms at least; one pair of persons and another pair of things.

Presupposing these conditions Aristotle says as follows:

"And if the persons are *ἴσοι*, the things will be *ἴσα*; since as the one person is to the other person, so is the one thing to the other thing, for if the persons are not *ἴσοι*, they will not have *ἴσα*; indeed all battles and complaints arise in consequence of *ἴσοι* having possessing things which are not *ἴσα*, or persons who are not *ἴσοι*, things which are *ἴσα*." (*V3, 6*)²¹⁾.

Just distribution consists in the fact that each person takes a mean (*μέσον*) between two things in relative to the standard of each person's *ἀξία*; That is, justice in distribution is *τὸ κατ' ἀξίαν*.

“All admit in distribution τὸ δίκαιον should be determined κατ’ ἀξίαν”, but, τὸ κατ’ ἀξία is ἀνάλογόν τι; hence so is τὸ δίκαιον too²²⁾.

Thus Aristotle formulates his theory of justice in distribution as follows:

“And τὸ δίκαιον too has four terms at the least, and the ratio of the first to the second is the same as the ratio of the third to the fourth, for the persons and the things are similarly divided.

Thus as the first term is to the second, so will the third be to the fourth; and therefore also the whole to the whole. Now this is the combination which the distribution effects, and the combination is effected δίκαιως if the ἀναλογία are so compounded” (V3, 10-12)²³⁾.

Once given the standard for deciding a person’s ἀξία, we may proceed to share the things. But, what principle does give us the standard for estimating a person’s ἀξία?

V

Although Aristotle says that a person’s ἀξία varies according to the differences of each polit (for example, in democracy freedom is the ἀξία; in oligarchy wealth or birth; in aristocracy excellence and so on)²⁴⁾, yet in spite of the varieties of polits the following holds true; that is, each person’s ἀξία is measured by his ability of labour in his society.

We are now introduced into the context of justice in reciprocity (τὸ ἀντιπεπονθὸς δίκαιον) as a material principle of every City-state.

The existence of the City-state presupposes a communal gathering of persons who can not be sufficient for themselves because they lack many things which can be afforded by the other people. “It is exchange that binds them together” (113a2-3)²⁵⁾. ‘χρεία’ is the bond that maintains the communal association of persons. Succeeding this idea of Plato in the *Republic* Vol. II,²⁶⁾ Aristotle

explains the necessity of justice in reciprocity (*τὸ ἀντιπεπονθὸς δίκαιον*) as follows:

II The very existence of the City-state depends on the communal gathering of persons.

- 1) The communal gathering of persons depends on the interchange of services among persons.
- 2) The existence of the bond that maintains the association of persons presupposes the exchange in the form of reciprocity among persons.
- 3) Just exchange in the form of reciprocity establishes the bond which maintains the association, but unjust does not do so.
- 4) Just exchange in the form of reciprocity is based on proportional requital (*ἢ ἀντίδοσις ἢ κατ' ἀναλογίαν*).
- 5) Therefore the existence of the City-state depends on proportionate reciprocity (1132b34-35)²⁷.

III Justice in the form of reciprocity is the foundation that maintains the association of persons.

- 1) There is no necessity of the exchange where persons do not have any demand upon one another.
- 2) There is no demand among *ἴσοι*.
- 3) There is no exchange among *ἴσοι*.
- 4) Therefore in *ἄνιστοι* only is there the exchange.
- 5) From above mentioned II3), just exchange must be *κατ' ἀναλογίαν*, and from I4) *δίκαιον* implies four terms at least; one pair of persons and another pair of exchanged things.
- 6) Therefore the exchange of the pair of things between persons which have to be equated *κατ' ἀναλογίαν*, is the foundation that maintains the association of persons; and this is justice in reciprocity.

Now presupposing these conditions Aristotle says that proportionate requital be effected by the diagonal conjunction (*ἢ κατὰ*

διάμετρον σύζευξις, 113a7-8) and illustrates this as follows: ²⁸⁾

“For example, let A be a builder, B a shoemaker, Γ a house, and Δ a shoe. It is required that the builder shall receive from the shoemaker a portion of the product of his labour, and give him a portion of the product of his own. Now if proportionate equality between the products be first established, and then requirement indicated will have been done” (1133a7-14).

In the first, it is necessary to establish what is meant by the word ‘ $\eta\ \kappa\alpha\tau\grave{\alpha}\ \delta\iota\acute{\alpha}\mu\epsilon\tau\rho\omicron\nu\ \sigma\acute{\upsilon}\zeta\epsilon\nu\xi\iota\varsigma$ ’. According to many commentators $\delta\iota\acute{\alpha}\mu\epsilon\tau\rho\omicron\nu\ \sigma\acute{\upsilon}\zeta\epsilon\nu\xi\iota\varsigma$ (diagonal conjunction) means:

$$A : B :: \Delta : \Gamma$$

and that

$$A + \Delta : B + \Gamma :: A : B$$

hypothesizing that A, B being persons, Γ, Δ things exchanged²⁹⁾. However, I think this is rather a bad supposition. For supposing such a case we could not bring these terms into a significant proportion, because from strict mathematical point of view there is no ratio between inhomogenous entities³⁰⁾. In the context Aristotle says as follows:

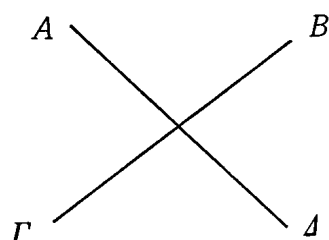
“It is therefore necessary that all commodities shall be measured by some one standard, ... and this standard is in reality demand ($\chi\rho\epsilon\iota\alpha$), ... But demand has come to be conventionally represented by money ($\nu\acute{o}\mu\iota\sigma\mu\alpha$)” (1133a26-30)³¹⁾.

“Money then serves as a measure which makes things commensurable and so reduces them equality” (1133b16-18)³²⁾.

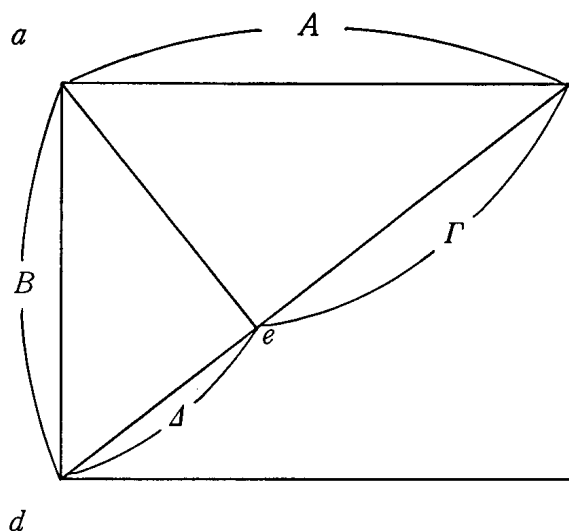
“Money is a middle term by which all things are measured, made commensurable and reduced into equality³³⁾. Then we must in the first establish the proportionate equality as a standard which is represented as the value of money and does measure the person’s products. If this is not done, intercourse does not continue. For it

may happen that the product of one of the parties is worth more than that of the other..." (1133a7-14)³⁴⁾.

It is true that 'ἡ κατὰ διάμετρον σύζευξις' suggests the cross-junc-



tion of $A\Delta$, $B\Gamma$ where A being a builder, B a shoemaker, Γ a house, Δ shoes respectively, but this construction scarcely sheds light on our understanding of the essence of the matter, unless we can find out a mean proportional between them.



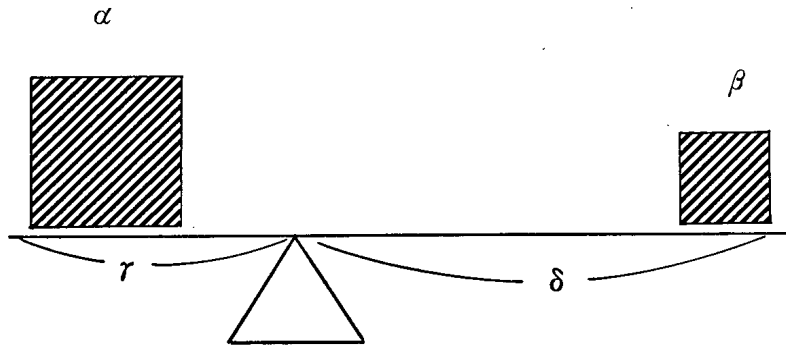
(1) Let me look for another path. A line bd drawn from b to d in the rectangle $abcd$ is a diagonal of the rectangle and can not be measured by two sides ab and ad unless its mean proportional can be found. Diagonal bd remains incommensurable until a mean proportional between two sides ab and ad is found.

(2) However, there is a mean proportional which makes two sides commensurable. A line ae drawn from a perpendicular to bd is mean proportional of the diagonal bd [Eucl. *Elem.* Book vi Prop. 13]³⁵⁾. Therefore, triangles ade , abe are similar to the whole triangle abd , and further, they are themselves similar to one another [Eucl. vi, Prop. 8]³⁶⁾

(3) Supposing that $A(=ab)$ stands for the ability of builder, $B(=ad)$ the ability of shoemaker, $\Gamma(=be)$ the value of builder's products, and $\Delta(=de)$ the value of shoemaker's products, mean proportional ae measures proportionally $\Gamma(=$ the value of builder's products) for $A(=$ the ability of builder) and $\Delta(=$ the value of

shoemaker's products) for B (=the ability of shoemaker). In that case if we suppose that one thing be equivalent to Γ is distributed to the person who has A and another thing be equivalent to Δ is distributed to the other person who has B , this situation shows us justice in distribution, not justice in reciprocity. Now, it is noteworthy that in the case of justice in distribution the ratio between person's ability is directly proportional to the ratio between the values of things distributed as follows: $A : B :: \Gamma : \Delta$.

(4) It is obvious that the word 'διάμετρος' is used almost as a synonym here for 'ἀντιπεπονθός'³⁷⁾. What does mean, then, the word in our present context? We find in *Mechanica* the sentence "ὁ οὖν τὸ κινούμενον βάρος πρὸς τὸ κινούμενον, τὸ μῆκος πρὸς τὸ μῆκος ἀντιπέπονθεν" (850a1-b2).³⁸⁾



Namely, the ratio between α and β is inversely proportional to the ratio between γ and δ . Accordingly, the ratio between α and β is directly proportional to the ratio between

$$1/\gamma \text{ and } 1/\delta$$

and that $\alpha : \beta :: \delta : \gamma$ (inverse proportion)

hence also $\alpha : \beta :: 1/\gamma : 1/\delta$ (direct proportion)

Now, if it holds that the predicate "...is inversely proportional to..." is equivalent to the predicate "...is reciprocally proportional to...", we may interpret Aristotle's utterance as "and then re-

ciprocation takes place" (1133f11-12) being equivalent to "and then inversed proportionalization takes place"³⁹⁾. Thus, it obtains:

$$A : B :: 1/A : 1/B \text{ (justice in reciprocity)}$$

$$\text{hence } A : B :: B : A \text{ (justice in distribution)}$$

Summing up the above mentioned, we may perhaps epitomize Aristotle's theory of justice in distribution and in reciprocity as follows:

- 1) justice in reciprocity is substantially the same as justice in distribution, albeit each subject matter (exchange of products and distribution of communal properties) are different, hence the way of mathematical formulation too;⁴⁰⁾ their common denominator is each person's ability corresponding to the demand (*χρεία*). Both theories make it a principle that each person may take anything if it be justified in relative to his ability of labour.
- 2) Person's ability is an important standard which ascertain to settle each person's value (*ἀξία*), whereas money as a substitute for the demand (*χρεία*) in the community measures each person's ability. Therefore, the final standard for measuring person's *ἀξία* is the money (*χρήμα*). Thus, we may say that "*πάντων τῶν ἀνθρώπων μέτρον χρήμα εἶναι*".⁴¹⁾

Now, I would like to characterize Aristotle's theory of justice by the following two maxims:

- α) *Δίκαιον* is *ἄδικον*, because *δίκαιον* presupposes *ἀνισον* whereas *ἀνισον* is *ἄδικον*.
- β) *Δίκαιον* νόμῳ only and not *δίκαιον φύσει*, because *δίκαιον* is finally measured by *νόμισμα* (= *χρήμα*).

VI

So far I have been discussing Aristotle's theory of justice, and

now I would like to cast a glance at Plato's theory of justice which was succeeded by his great pupil and incorporated in his concept of justice in reciprocity. Well, I think, we may detect the essence of Plato's conception on justice in the following passages in *Republic*:

"He (i. e. just man) is indeed one who sets his house in order, by self-masterly and his discipline coming to be at peace with himself, and bringing into tune these three parts (συναρμόσαντα τρία ὄντα), like the terms in the proportion of a musical scale (ὥσπερ ὄρους τρεῖς ἀρμονίας ἀτεχνῶς), the highest and lowest notes and the mean between them (νεάτης τε καὶ ὑπάτης καὶ μέσης), with all intermediate intervals" (443d3-7)⁴²⁾.

"This (injustice) must surely be a sort of civil strife among the three elements (στάσιν τινὰ τριῶν τούτων) whereby they usurp and encroach upon one another's functions and some one part of the soul rises up in rebellion against the whole, claiming a supremacy to which it has no right because its nature fits it only to be servant of the ruling principle" (444b1-5)⁴³⁾.

"Is it not according to the conduct which tends to subdue the brutish parts of our nature (θηριώδη) to the human—perhaps I should rather say to the divine (τῷ θείῳ) in us—or to enslave our humanity to the savagery of the beast?" (589c8-d2)⁴⁴⁾.

It is unmistakably clear that Plato's sayings in these passages exactly correspond to the previously quoted Aristotle's utterances. Both philosophers are based on substantially the same view of the man. By the way, in Plato's last sentence quoted above, one can discern the proportion: "God : Man :: Man : Animal." Plato also understands the essence of man by means of ἀναλογία.

When Plato outlined his ideal City-state in the dialogue *Republic*, he took the human soul as his model for it and intended to coordinate it to three social classes. Thus coordinating three parts of the soul to three classes of the society he established a homology

Bodily part	Part of soul	Social class	Social members
Head	Rational	Deliberative	Philosopher-King
Upper torso	Spirited	Defensive	Warriors
Lower torso	Appetitive	Commercial	Commoners

between two different entities. And further in later dialogue with *Timaeus* he extended this plan to comprize the human body. Synthesizing the implications of each dialogue we may perhaps formulate the result, although Plato's terminology is not always consistent through his writings, as follows:⁴⁵⁾

It is significant here to focus upon a fact that Plato's conception of Justice depends sustantially on the use of the concept of "harmony" (*ἁρμονία*). We met it already in the above quoted sentence: "*ὥσπερ ὄρους τρεῖς ἁρμονίας ἀτεχνῶς*". Harmony could not be engendered when each elementary musical scale indiscriminately was blended, because getting the average of each element will result in at best mere dissonance and intorelable disorder of sounds. The harmony as a whole will be realized only when each element is left alone as itself i. e. *ἄνισον* and *ἕτερον* each other, and brought into a proportional order.

Plato's analogy based on musical harmony expresses very nicely the essence of his political philosophy. The very existence of a just City-state presupposes as its necessary conditions the differentiation by nature of social classes and their unification in a form of proportional harmony as a whole.

VII

So far we have followed up Plato's and Aristotle's conception of justice by shedding light on its hidden dimensions and further revealed that behind their theories of justice lurks a proportional logic which may be called as the fundamental matrix by which the "sacred" European world order was constructed.

The most conspicuous characteristics of this logic may be formulated as follows :

- 1) This logic is a kind of politico-social dialectic.
- 2) This serves for the maintenance of established social order, and not for the reforming of the society.
- 3) **In** its function this logic seeks to actualize (a) the close-packed totalization (=equalization) of the conflicting social parties into a pyramid like hierarchy through (b) establishing a standard (μέτρον) as a mean proportional (μέσον) between them, (c) without giving any true solution to the contradictory conflicts by which the opposition between them are substantially called in the society, but conversely (d) leaving the anti-thetically opposed extremes as they are by assimilating (ἰσάζειν) and dissimilating (ἀνισάζειν) them at the same time, thus finally, (e) denouncing them as 'by nature differentiated' and projecting this difference as a ratio (λότος) into reality.

The problem is how to understand a fact that such a politico-social dialectic even now can be active over all the world. The situations which asked Diogenes of Sinope, famous dog-philosopher, for a severe and final criticism at his contemporary political system has been until now prevalent in the modern world. That is, Diogenes' reply which was given to his master who asked how he wished to be buried, 'ἐπὶ πρόσωπον... ὅτι μετ' ὀλίγον μέλλει τὰ κάτω ἄνω στρέφεσθαι' (DL, 31-32), has not been deprived of its own validity.⁴⁶

Citing Apartheid in the South African Republic as an example, perhaps, would be much too old-fashioned. It is significant however to observe, going side by side with these circumstances, very different movements for human rights, especially for universal human rights and universal justice. Well, I have a friend who is physically handicapped but with a strong sense of justice. He compiled recently a human document which conveys the bitter struggle of

handicapped persons in our time. In a postscript to the book he says as follows : ⁴⁷⁾

“...From the point of view on the recycle system in production, such a serious hope of the handicapped persons has been always treated as a mere economical problem which is relative to reproduction system and its capacity of tolerance for the inability of labour. The main issues have been always that of economical frame-work and its distribution structure of wealth, and so there has been no true consideration for the handicapped person *qua person*.

One who can work anyhow, he may take part in the distribution of wealth and one who can work anyhow, only he should be acknowledged as a man *qua man*. This inexorable principle was a immediate consequence of the traditional philosophy of man. And because of this very philosophy, for handicapped persons, ‘the negative part’ only has been given in the society....in view of these circumstances it is necessary in the first, I think, that traditional view of man has to be criticized radically, in the second, a philosophy based on the acceptability principle for ‘the inability of labour’ has to be created anew....although I can not immediately conclude whether such an extraordinary hope may be actualized or not, nevertheless if we may believe the realization of human justice anyhow in this world, I think, we may also dream the realization of the new philosophy of man. In any way, the future of the physically handicapped persons is placed under this philosophy’s charge”.

VIII

Thus requested is a new philosophy of justice, in particular that of ‘man’ which is written with capital letters. In the time of Plato and Aristotle ‘the man’ written with capital letters signified a

small 'City-state' which likened to a enclave enclosed by barbarians. In our time however, 'MAN' does not mean such a small region, but crossing every border, in spite of the difference between the West and the East, no! not only surmounting the racial differences and discriminations, but also the frame-work of 'homo sapiens' himself, points to a great sphere of residence (οἰκουμένη) of every living creature on our small planet Earth. Therefore, our desired fixed point in order to aim at a new philosophy should not be set upon 'man' in a narrow sense, but 'the life' in general. The 'life' is a key-concept of the new philosophy. The scope in which the essence of life and justice overlap each other and be in focus is, I believe, '*hic Rodus*' on which our new philosophy can be founded.

Thus our problem awaiting solution presupposes an unified understanding of life and justice. Well, was not this subject-matter pre-socratic philosophers own? Since Anaximander of Miletus pre-socratic philosophers were preoccupied to investigate Justice and Life in the cosmos⁴²⁾. Gazing upon the downfall of Ionian district they bequeathed us the very best legacy in their grand speculation about the destiny of the man and the cosmos. We should follow them and if it is possible, restore their thinking about Justice and Life in our time again and even more vividly. How is it possible however? Is it impossible yet?

For our time may be regarded as a final stage at which the various ripples which were given rise to by that ἀναλογία of man and extended by the 'Rape of Europe' are gradually coming close to completion. That is, our time may be considered as the stage of *entelecheia* of European Reason where the selfmovement of *Nous* undergoes a complete transfiguration to, according to M. Heidegger's terminology, a basic equation of 'Earth controlling technology' as a horrible consequence of 'Willens Metaphysik' in Europe⁴⁹⁾, and the *Nous* which operates this metaphysics is actively in the posi-

tion of the *goddess of Justice* who holds keys of 'life and death in the Nuclear age'.

She holds in her hand two keys, namely the one for Being, the other for Not-being. Standing at the turning point between them Parmenides the poet preferred Life(=Being) to Death(=Not-being)⁵⁰⁾. However, I think, Parmenides who was a mortal (*θνητός*), here at this juncture, highly committed a fault. In what way, indeed, can there be life apart from death? Life could not exist without its partner death. In reality they are the one and the same, because "Immortal are mortal, mortal immortal, living the other's death, dead in the other's life" (Heraclitus, Frag. 62)⁵¹⁾.

Philosophy in future which aims at the life and the justice must be supported behind by the meditation on death, I believe. Philosophy is never a deed of Parmenidean immortal Nous. However, paradoxically enough, he is 'nor mortal' and in reality 'in the self-same day he is flourishing and alive at the hour when he is abounding in resource' (Plato, *Symposium* 203e)⁵²⁾, so is the philosophy.

Philosophy is a deed of the mortals who continually endeavours to build his small house on the nature (*φύσις*) trusting *λόγος* alone which is compared to a frail raft, hoping his well-being albeit be conscious enough of death.

Being such the case, then, the very concept of 'death' which is equally shared by every living creature would be a peerless and unique principle which finally measures us as living things. However, 'not one of us knows this' (*οὐδείς ἡμῶν τοῦτον γιγνώσκει*), namely the death, if we can say by changing a little Alcibiades' words about Socrates (*Symposium*, 216c-d)⁵³⁾. Then, our ignorance of death and awaking from it, indeed, could lead us into the depth of the unfathomable responsibility and humbleness for life, and at the same time, it could also serve to furnish a more definite basis for the theories of justice in our time. For example, it could present

to J. Rawls' hypothesis about 'initial situation' a deeper ontological foundation*.

- 1) Heath, Sir T., *A History of Greek Mathematics*, Oxford., Vol. I, 1965 (1st ed. 1921) pp. 249-251 ; 384-391
 ..., *The thirteen books of Euclids Elements.*, Vol. II, Books III-IX., Cambridge, 1908, pp. 112-113
 Zeuthen, H.G., *Die Mathematik im Altertum und Mittelalter*, Teubner, Stuttgart, 1966, pp. 47-48
- 2) Reidemeister, Kurt W. F., *Das exakte Denken der Griechen, Beiträge zur Deutung von Euklid, Platon, Aristoteles*. Wissenschaftliche Buchgesellschaft, Darmstadt, p. 108ff.
- 3) For geometrical character of the Greek's world-view see :
 Vernant, J-P., *Les origines de la pensée grecque.*, 1962
 Vlastos, G., 'Equality and Justice in Early Greek Cosmologies', *Classical Philology* 42, 1947, pp. 156-178.
 Lloyd, G. E. R., *Polarity and Analogy: Two types of argumentation in early Greek thought*, Cambridge., 1966.
 Diller, H., 'ὅψεις τῶν ἀδήλων τὰ φαινόμενα', *Hermes* 67, 1932, pp. 14-42
 Gomperz, H., Problem and Methods of Early Greek Science, *Journal of the History of Ideas*, 4, 1943, pp. 161-76.
 Regenbogen, O., Eine Forschungsmethode antiker Naturwissenschaft, *Quell. u. Stud. zur Gesch. der Math., Astronom. u. Physik.*, B I, 2, Berlin, 1930.
- 4) For the meaning of "ἀναλογία", see the following exceptional analysis Szabó, A., *The Beginnings of Greek Mathematics*, D. Reidel Pub., 197/. p. 1485. We should remember here those view-points of man repeatedly presented by Augustinus, Thomas Aquinas, Pico della Milandora, Pascal, Kant, Schopenhauer and Nietzsche. They are a few examples.
- 5) See Fink, E., *Spiel als Weltsymbol*, Stuttgart, 1960 (Japanese Edition, pp. 58-59)
- 6) Corral, L. D. Del, *El rapto de Europa*, Revista de Occidente, Madrid, 1954
- 7) Cf. Girard, R., *Mensonge romantique et vérité romanesque*, Éditions Bernard Grasset, 1961
- 8) Heidegger, M., *Die Technik und die Kehre*, Günter Neske,
- 9) *Polit.*, 1253 a 1~3
 ἐκ τούτων οὖν φανερόν ὅτι τῶν φύσει ἡ πόλις ἐστί, καὶ ὅτι ἄνθρωπος φύσει πολιτικὸν ζῷον,
 Ibid, 1253a 15~18
 τοῦτο γὰρ πρὸς τὰ ἄλλα ζῶα τοῖς ἀνθρώποις ἴδιον, τὸ μόνον ἀγαθοῦ καὶ κακοῦ

καὶ δικαίου καὶ ἀδίκου καὶ τῶν ἄλλων αἴσθησίν ἔχειν,

Ibid, 1253a27~29

ὁ δὲ μὴ δυνάμενος κοινωνεῖν, ἢ μηδὲν δεόμενος δι' αὐτάρκεια οὐδὲν μέρος πόλεως, ὥστε ἢ θηρίου ἢ θεός,

10) Polit., 1253a1-7

ἐκ τούτων οὖν φανερόν ὅτι τῶν φύσει ἡ πόλις ἐστί, καὶ ὅτι ἄνθρωπος φύσει πολιτικὸν ζῷον, καὶ ὁ ἄπολις διὰ φύσιν καὶ οὐ διὰ τύχην ἥτοι φαῦλός ἐστιν ἢ κρείττων ἢ ἄνθρωπος, ὥσπερ καὶ ὁ ὑφ' 'Ομήρου λοιδορηθεὶς "ἄφρῆτωρ ἀθέμιστος ἀνέστιος". ἅμα γὰρ φύσει τοιοῦτος καὶ πολέμου ἐπιθυμητής, ἅτε περ ἄζυξ ὢν ὥσπερ ἐν πεττοῖς.

11) See Weisgelber, L., Das Weltbild der Muttersprache, in *Vom Weltbild der deutschen Sprache*, 1, Düsseldorf: Pädagogischer Verlag Schwann 1953.

12) *De Gen. An.* 77069-17

ἔστι γὰρ τὸ τέρας τῶν παρὰ φύσιν τι, παρὰ φύσιν δ' οὐ πᾶσαν ἀλλὰ τὴν ὡς ἐπὶ τὸ πολὺ: περὶ γὰρ τὴν ἀεὶ καὶ τὴν ἐξ ἀνάγκης οὐθὲν γίνεται παρὰ φύσιν, ἀλλ' ἐν τοῖς ὡς ἐπὶ τὸ πολὺ μὲν οὕτω γινομένοις, ἐνδεχομένοις δὲ καὶ ἄλλως, ἐπεὶ καὶ τούτων ἐν ὅσοις συμβαίνει παρὰ τὴν τάξιν μὲν ταύτην, ἀεὶ μέντοι μὴ τυχόντως, ἥττον εἶναι δοκεῖ τέρας διὰ τὸ καὶ τὸ παρὰ φύσιν εἶναι τρόπον τινὰ κατὰ φύσιν, ὅταν μὴ κρατήσῃ τὴν κατὰ τὴν ὕλην ἢ κατὰ τὸ εἶδος φύσις.

13) *Polit.*, 1252b32-34

οἷον γὰρ ἕκαστόν ἐστι τῆς γενέσεως τελεσθείσης, ταύτην φάμεν τὴν φύσιν εἶναι ἐκάστου, ὥσπερ ἀνθρώπου ἱπποῦ οἰκίας.

14) *Polit.*, 1253a18-22

καὶ πρότερον δὴ τῇ φύσει πόλις ἢ οἰκία καὶ ἕκαστος ἡμῶν ἐστίν. τὸ γὰρ ὅλον πρότερον ἀναγκαῖον εἶναι τοῦ μέρους· ἀναιρουμένου γὰρ τοῦ ὅλου οὐκ ἔσται πούς οὐδὲ χεῖρ, εἰ μὴ ὁμωνύμως, ὥσπερ εἴ τις λέγει τὴν λιθίνην.

15) *Polit.*, 1253b20-22

τοῖς δὲ παρὰ φύσιν τὸ δεσπόζειν. νόμῳ γὰρ τὸν μὲν δοῦλον εἶναι τὸν δ' ἐλεύθερον, φύσει δ' οὐδὲν διαφέρειν. διόπερ οὐδὲ δίκαιον.

16) *Polit.*, 1254b4-1255a2

ἡ μὲν γὰρ ψυχὴ τοῦ σώματος ἄρχει δεσποτικὴν ἀρχήν, ὁ δὲ νοῦς τῆς ὀρέξεως πολιτικὴν καὶ βασιλικήν· ἐν οἷς φανερόν ἐστιν ὅτι κατὰ φύσιν καὶ συμφέρον τὸ ἄρχεσθαι τῷ σώματι ὑπὸ τῆς ψυχῆς καὶ τῷ παθητικῷ μορίῳ ὑπὸ τοῦ νοῦ καὶ τοῦ μορίου τοῦ λόγου ἔχοντος, τὸ δ' ἐξ ἴσου ἢ ἀνάπαλιν βλαβερόν πᾶσιν. πάλιν ἐν ἀνθρώπῳ καὶ τοῖς ἄλλοις ζώοις ὡσαύτως· τὰ μὲν γὰρ ἡμέρα τῶν ἀγρίων βελτίω τὴν φύσιν, τούτοις δὲ πᾶσι βέλτιον ἄρχεσθαι ὑπ' ἀνθρώπου. τυγχάνει γὰρ σωτηρίας οὕτως. ἔτι δὲ τὸ ἄρρεν πρὸς τὸ θῆλυ φύσει τὸ μὲν κρείττον τὸ δὲ χεῖρον, τὸ μὲν ἄρχον τὸ δὲ ἀρχόμενον· τὸν αὐτὸν δὲ τρόπον ἀναγκαῖον εἶναι καὶ ἐπὶ πάντων ἀνθρώπων. ὅσοι μὲν οὖν τοσοῦτον διεστᾶσιν ὅσον ψυχὴ σώματος καὶ ἄνθρωπος θηρίου (διάκεινται δὲ τοῦτον τὸν τρόπον, ὅσων ἐστὶν ἔργον ἢ τοῦ σώματος χρῆσις, καὶ τοῦτ' ἔστ' ἀπ' αὐτῶν βέλτιστον), οὗτοι μὲν εἰσι φύσει δοῦλοι, οἷς

βέλτιόν ἐστιν ἄρχεσθαι ταύτην τὴν ἀρχήν, εἴπερ καὶ τοῖς εἰρημένοις. ἔστι γὰρ φύσει δοῦλος ὁ δυνάμενος ἄλλου εἶναι (διὸ καὶ ἄλλου ἐστίν) καὶ ὁ κοινωνῶν λόγου τοσοῦτον ὅσον αἰσθάνεσθαι ἀλλὰ μὴ ἔχειν· τὰ γὰρ ἄλλα ζῶα οὐ λόγου αἰσθανόμενα, ἀλλὰ παθήμασιν ὑπηρετεῖ. καὶ ἡ χρεῖα δὲ παραλλάττει μικρόν· ἡ γὰρ πρὸς τὰν-αγκαῖα τῷ σώματι βοήθεια γίνεται παρ' ἀμφοῖν, παρὰ τε τῶν δούλων καὶ παρὰ τῶν ἡμέρων ζώων. βούλεται μὲν οὖν ἡ φύσις καὶ τὰ σώματα διαφέροντα ποιεῖν τὰ τῶν ἐλευθέρων καὶ τῶν δούλων, τὰ μὲν ἰσχυρὰ πρὸς τὴν ἀναγκαίαν χρῆσιν, τὰ δ' ὀρθὰ καὶ ἄχρηστα πρὸς τὰς τοιαύτας ἐργασίας, ἀλλὰ χρήσιμα πρὸς πολιτικὸν βίον (οὗτος δὲ καὶ γίνεται διηρημένος εἰς τε τὴν πολεμικὴν χρεῖαν καὶ τὴν εἰρηλικήν), συμβαίνει δὲ πολλάκις καὶ τοῦναντίον, τοὺς μὲν τὰ σώματα ἔχειν ἐλευθέρων τοὺς δὲ τὰς ψυχὰς· ἐπεὶ τοῦτό γε φανερόν, ὥς εἰ τοσοῦτον γένοιτο διάφοροι τὸ σῶμα μόνον ὅσον αἱ τῶν θεῶν εἰκόνες, τοὺς ὑπολειπομένους πάντες φαίεν ἂν ἀξίους εἶναι τούτοις δουλεύειν. εἰ δ' ἐπὶ τοῦ σώματος τοῦτ' ἀληθές, πολὺ δικαιότερον ἐπὶ τῆς ψυχῆς τοῦτο διωρίσθαι· ἀλλ' οὐχ ὁμοίως ῥάδιον ἰδεῖν τό τε τῆς ψυχῆς κάλλος καὶ τὸ τοῦ σώματος. ὅτι μὲν τοίνυν εἰσὶ φύσει τινὲς οἱ μὲν ἐλεύθεροι οἱ δὲ δούλοι, φανερόν, οἷς καὶ συμφέρει τὸ δουλεύειν καὶ δίκαιόν ἐστιν·

17) *Polit.*, 6259b10–13

ἡ δὲ τῶν τέκνων ἀρχὴ βασιλική· τὸ γὰρ γεννησαν καὶ κατὰ φιλίαν ἄρχον καὶ κατὰ πρεσβείαν ἐστίν, ὅπερ ἐστὶ βασιλικῆς εἰδος ἀρχῆς.

18) *Polit.*, 1259b9–10

τό δ' ἄρρεν ἀεὶ πρὸς τὸ θῆλυ τοῦτον ἔχει τὸ τρόπον.

19) *De gen. an.* 775a14–16

ἀσθενέστερα γὰρ ἐστὶ καὶ ψυχρότερα τὰ θήλεα τὴν φύσιν, καὶ δεῖ ὑπολαμβάνειν ὥσπερ ἀναπηρίαν εἶναι τὴν θηλυτῆτα φυσικὴν.

20) *Nic. Eth.*, V3, 3–5

ἐπεὶ δ' ὁ τ' ἄδικος ἄνιστος καὶ τὸ ἄδικον ἄνιστον, δῆλον ὅτι καὶ μέσον τι ἔστι τοῦ ἀνίστου. τοῦτο δ' ἐστὶ τὸ ἴσον· ἐν ᾧ γὰρ πράξει ἔστι τὸ πλεόν καὶ τὸ ἔλαττον, ἔστι καὶ τὸ ἴσον. εἰ οὖν τὸ ἄδικον ἄνιστον, τὸ δίκαιον ἴσον· ὅπερ καὶ ἄνευ λόγου δοκεῖ πᾶσιν. ἐπεὶ δὲ τὸ ἴσον μέσον, τὸ δίκαιον μέσον τι ἂν εἴη. ἔστι δὲ τὸ ἴσον ἐν ἐλαχίστοις δυσὶν. ἀνάγκη τοίνυν τὸ δίκαιον μέσον τε καὶ ἴσον εἶναι καὶ πρὸς τι, καὶ ἡ μὲν μέσον, τινῶν (ταῦτα δ' ἐστὶ πλεῖον καὶ ἔλαττον), ἡ δ' ἴσον ἐστὶ, δυοῖν, ἡ δὲ δίκαιον, τισίν. ἀνάγκη ἄρα τὸ δίκαιον ἐν ἐλαχίστοις εἶναι τέτταρσιν· οἷς τε γὰρ δίκαιον τυγχάνει ὄν, δύο ἐστί, καὶ ἐν οἷς, [τὰ πράγματα,] δύο.

21) *Nic. Eth.*, V3, 6

καὶ ἡ αὐτὴ ἔσται ἰσότης, οἷς καὶ ἐν οἷς· ὥς γὰρ ἐκεῖνα ἔχει, οὕτω καὶ ἐκεῖνα ἔχει· εἰ γὰρ μὴ ἴσοι, οὐκ ἴσα ἔξουσιν, ἀλλ' ἐντεῦθεν αἱ μάχαι καὶ τὰ ἐγκλήματα, ὅταν ἡ ἴσοι μὴ ἴσα ἢ μὴ ἴσοι ἴσα ἔχωσι καὶ νέμονται.

22) *Nic. Eth.*, V3, 7

τὸ γὰρ δίκαιον ἐν ταῖς διανομαῖς ὁμολογοῦσι πάντες κατ' ἀξίαν τινὰ δεῖν εἶναι,

23) *Nic. Eth.*, V3, 10–12

ἔστι δὲ καὶ το δίκαιον ἐν τέτταρσιν ἐλαχίστοις, καὶ ὁ λόγος ὁ αὐτός· διήρηται γὰρ ὁμοίως, οἷς τε καὶ ἄ. ἔσται ἄρα ὥς ὁ πρῶτος ὅρος πρὸς τὸν δεύτερον οὕτως

ὁ τρίτος πρὸς τὸν τέταρτον, καὶ ἐναλλάξ ἄρα, ὡς ὁ πρῶτος πρὸς τὸν τρίτον ὁ δεύτερος πρὸς τὸν τέταρτον· ὥστε καὶ τὸ ὅλον πρὸς τὸ ὅλον· ὅπερ ἡ νομὴ συνδυάζει· καὶ οὕτως συντεθῇ, δικαίως συνδυάζει.

24) *Nic. Eth.*, V3, 7

τὴν μέντοι ἀξίαν οὐ τὴν αὐτὴν λέγουσι πάντες ὑπάρχειν, ἀλλ' οἱ μὲν δημοκρατικοὶ ἐλευθερίαν, οἱ δ' ὀλιγαρχικοὶ πλοῦτον οἱ δ' εὐγένειαν, οἱ δ' ἀριστοκρατικοὶ ἀρετὴν.

25) *Nic. Eth.*, V5, 7 (113a2-4)

διο καὶ Χαρίτων ἱερὸν ἐμποδὼν ποιοῦνται, ἐν' ἀνταπόδοσις ᾗ· τοῦτο γὰρ ἴδιον χάριτος· ἀνθυπηρετῆσαί τε γὰρ δεῖ τῷ χαρισσαμένῳ, καὶ πάλιν αὐτὸν ἄρξαι χαρίζομενον.

26) *Plato Republic*, Vol. I, II, 369b5-7

Γίνεται τοίνυν, ἣν δ' ἐγώ, πόλις, ὡς ἐγὼ, ἐπειδὴ τυγχάνει ἡμῶν ἕκαστος οὐκ αὐτάρκης, ἀλλὰ πολλῶν <ῶν> ἐνδεής.

27) *Nic. Eth.*, V5, 6

τῷ ἀντιποιεῖν γὰρ ἀνάλογον συμφέρει ἡ πόλις.

28) *Nic. Eth.*, V5, 8

ποιεῖ δὲ τὴν ἀντίδοσιν τὴν κατ' ἀναλογίαν ἢ κατὰ διάμετρον σύζευξις. οἷον οἰκοδόμος ἐφ' ᾧ *A*, σκυτοτόμος ἐφ' ᾧ *B*, οἰκία ἐφ' ᾧ *Γ*, ὑπόδημα ἐφ' ᾧ *Δ*. δεῖ οὖν λαμβάνειν τὸν οἰκοδόμον παρὰ τοῦ σκυτοτόμου τοῦ ἐκείνου ἔργου, καὶ αὐτὸν ἐκείνῳ μεταδιδόναι τοῦ αὐτοῦ. ἐὰν οὖν πρῶτον ἢ τὸ κατὰ τὴν ἀναλογίαν ἴσον, εἴτα τὸ ἀντιπεπονθὸς γένηται, ἔσται το λεγόμενον. εἰ δὲ μή, οὐκ ἴσον, οὐδὲ συμφέρει.

29) I mention here only two representative interpretations, i. e. H. Jackson's *The Fifth Book of the Nicomachean Ethics* (Cambridge University Press, 1879, Reprinted version by Arno Press Inc., 1973) and J. A. Stewart's *Notes on the Nicomachean Ethics of Aristotle* (Oxford at the Clarendon Press, 1892, Reprinted version by Arno Press Inc. 1973).

a) **Jackson**

"Now ἡ κατ' ἀναλογίαν ἀντίδοσις is secured by ἡ κατὰ διάμετρον σύζευξις, i. e. the conjunction of *A* and *D*, *B* and *C*. For example, let *A* be a builder, *B* a shoemaker, *C* a house, and *D* a shoe. If *A* and *B* agree that a house and a shoe are of equal value, barter may take place without altering the position of *A* and *B* relatively to one another: or in the symbolism of ch. 3.

$$A + D : B + C :: A : B,$$

whence

$$A : B :: D : C.$$

But as barter does not take place between persons of the same trade, the transaction will be in general more complicated, *C* and *D* not being of equal value. In general then *B* will give to *A* *x* shoes in return for his house. Hence commercial justice is represented in general by the proportion

$$A + xD : B + C :: A : B,$$

whence as before

$$A : B :: xD : C.$$

Now when $A : B :: xD : C$, A and C , B and xD , are said to be reciprocally proportional (*ἀντιπεπονθέναι*). Hence commercial justice is represented by reciprocal proportion, *τὸ ἀντιπεπονθὸς τὸ κατ' ἀναλογίαν.*" (*Op. cit.* p. 90)

b) **Stewart**: It must be understood that the remark *ποιεῖ δὲ τὴν ἀντίδοσιν τὴν κατ' ἀναλογίαν ἢ κατὰ διάμετρον σύζευξις*, assumes that Γ and Δ have been 'equalised': i. e. that $\Delta = x\delta = \Gamma$, where δ stands for the shoemaker's unit product, one pair of shoes, and Γ for the builder's unit, one house. By multiplying his δ 's by x , the shoemaker B makes himself as good a man, for the occasion of this particular *ἀλλακτικὴ κοινωνία*, as the builder A; accordingly, A being = B, and $x\delta = \Delta = \Gamma$, we get the following *ἀναλογία*:—

$$(1) A : B :: \Delta : \Gamma$$

$$(2) A : \Delta :: B : \Gamma$$

$$(3) A + \Delta : B + \Gamma :: A : B$$

(*Op. cit.*, pp. 452–453)

30) See Apostle, H. G., *Aristotle's Philosophy of Mathematics*, Univ. of Chicago Press, 1952, pp. 60–66.

31) *Nic. Eth.*, V5, 11

δεῖ ἄρα ἐνί τινι πάντα μετρεῖσθαι, ὥσπερ ἐλέχθη πρότερον· τοῦτο δ' ἐστὶ τῇ μὲν ἀληθείᾳ ἢ χρείᾳ, ἣ πάντα συνέχει·

32) *Nic. Eth.*, V 5, 14.

τὸ δὲ νόμισμα ὥσπερ μέτρον σύμμετρα ποιῆσαν ἰσάζει·

33) *Nic. Eth.*, V 5, 15

διὸ νόμισμα καλεῖται· τοῦτο γὰρ πάντα ποιεῖ σύμμετρα· μετρεῖται γὰρ πάντα νομίσματι.

34) *Nic. Eth.*, V5, 8

εἰ δὲ μή, οὐκ ἴσον, οὐδὲ συμφέρει οὐθὲν γὰρ κωλύει κρεῖττον εἶναι τὸ θατέρον ἔργον ἢ τὸ θατέρον, ...

35) See Heath, T. L., *The Thirteen Books of Euclid's Elements*, Vol. 1 Cambridge University Press, 1908, p. 216.

36) *Op. cit.*, see pp. 209–210.

37) "*ἡ κατὰ διάμετρον σύζευξις produces τὴν ἀντίδοσιν τὴν κατ' ἀναλογίαν*" (Juckson, *Op. cit.*, p. 95) and *ἡ ἀντίδοσις ἢ κατ' ἀναλογίαν = τὸ ἀντιπεπονθὸς τὸ κατ' ἀναλογίαν*, hence, *ἡ κατὰ διάμετρον σύζευξις = τὸ ἀντιπεπονθὸς τὸ κατ' ἀναλογίαν*. Furthermore, Stewart's following comments on the meaning of the word *ἀντιπεπονθὸς* is acceptable:

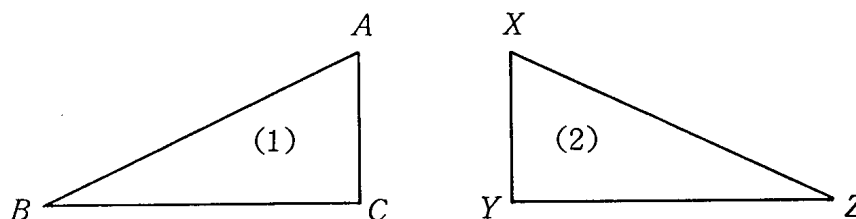
"To *ἀντιπεπονθὸς*, literally '*that which* has suffered or received in return, is somewhat strangely used instead of *τὸ ἀντιπεπονθέναι*. '*Ἀντιπεπονθέναι* in mathematics is 'to be reciprocally proportional': *ἀντιπεπόνθησις* is 're

reciprocal proportion'; and τὰ ἀντιπεπρόνθῃτα are 'magnitudes which are reciprocally proportional': see Euclid, *El.* vi. Def. 2. — 'Two sides of one figure are said to be *reciprocally proportional* to two sides of another, when one of the sides of the first is to one of the sides of the second, as the remaining side of the second is to the remaining side of the first.' The enunciation of Euclid *El.* vi. 15 is τῶν ἴσων καὶ μίαν μιᾷ ἴσῃ ἐχόντων γωνίαν τριγώνων ἀντιπεπρόνθασιν αἱ πλευραὶ αἱ περὶ τὰς ἴσας γωνίας· καὶ ὧν μίαν μιᾷ ἴσῃ ἐχόντων γωνίαν τριγώνων ἀντιπεπρόνθασιν αἱ πλευραὶ αἱ περὶ τὰς ἴσας γωνίας, ἴσα ἐκείνα.

Let (1) and (2) be equal triangles having angles *A* and *X* 1132b. 21. equal.

Then $AB : XY :: XZ : AC$.

Or let $AB : XY :: XZ : AC$, and angle $A = X$, then the triangles are equal.



Here the ἀντιπεπρόνθσις, or 'reciprocal proportion,' consists in this, that if triangle (1) is superior in respect of its side *AB* to (2) in respect of its side *XY*, on the other hand (2) is equally superior in respect of its side *XZ* to (1) in respect of its side *AC*." (*Op. cit.*) pp. 442-443)

- 38) Here, in reference to Aristotle's *Mechanica*, I wish to acknowledge indebtedness to Y. Iwata's *Ethical Theory of Aristotle* (岩田靖夫『アリストテレスの倫理思想』), Publisher Iwanami, 1985, whereas my mathematical formulation and the points of my argumentation on Aristotle's theory of Justice have many sided differences from his own.

- 39) *Nic. Eth.*, 1133a11-12.

ἐὰν οὖν πρῶτον ἡ τὸ κατὰ τὴν ἀναλογίαν ἴσον, εἴτα τὸ ἀντιπεπρόνθῃς γένηται, ἔσται τὸ λεγόμενον. εἰ δὲ μή, οὐκ ἴσον, οὐδὲ συμμένει·

- 40) Iwata, Y., *Op. cit.*, p. 265. He also acknowledges a fact that Justice in reciprocity differs from Justice in distribution, whereas both are to be identified in principle.

- 41) It goes without saying that this is a parody of Protagoras' "πάντων χρημάτων μέτρον ἐστὶν ἄνθρωπος" (DK, B1)

- 42) Plato, *Republic* 443d3-7

ἀλλὰ τῷ ὄντι τὰ οἰκεία εὖ θέμενον καὶ ἄρξαντα αὐτὸν αὐτοῦ καὶ κοσμήσαντα καὶ φίλον γενόμενον ἑαυτῷ καὶ συναρμόσαντα τρία ὄντα, ὥσπερ ὄρους τρεῖς ἁρμονίας ἀτεχνῶς, νεότης τε καὶ ὑπέρτης καὶ μέσης,

- 43) *Ibid.*, 444b1-5

Οὐκοῦν στάσιν τινὰ αὐτῶν ὄντων τούτων δεῖ αὐτὴν εἶναι καὶ πολυπραγμοσύνην καὶ ἀλλοτριοπραγμοσύνην καὶ ἐπανάστασιν μέρους τινὸς τῷ ὅλῳ τῆς ψυχῆς, ἔν' ἄρχῃ ἐν αὐτῇ οὐ προσήκον, ἀλλὰ τοιούτου ὄντος φύσει οἷον πρέπειν αὐτῷ δουλεύειν, τῷ δ' οὐ δουλεύειν ἀρχικοῦ γένους ὄντι;

44) *Ibid*, 589c8-d2

τὰ μὲν καλὰ τὰ ὑπο τῷ ἀνθρώπῳ, μᾶλλον δὲ ἴσως τὰ ὑπο τῷ θεῷ τὰ θηριώδη ποιοῦντα τῆς φύσεως, αἰσχροὶ δὲ τὰ ὑπο τῷ ἀγρίῳ το ἡμερον δουλούμενα;

45) Lincoln, B., *Myth, Cosmos, and Society—Indo-European Themes of Creation and Destruction*, Harvard University Press, 1986, p. 154.

46) DL, VI, Diogenes, 31-32

ὁ δ' αὐτός φησι παρὰ τῷ Ξενιάδῃ καὶ γηράσαι αὐτον καὶ θανόντα ταφῆναι πρὸς τῶν υἱῶν αὐτοῦ. ἔνθα καὶ πυνθανομένου τοῦ Ξενιάδου πῶς αὐτὸν θάψειεν, ἔφη, “ἐπὶ πρόσωπον”· τοῦ δ' ἐρομένου “διὰ τί;” “ὅτι μετ' ὀλίγον,” εἶπε, “μέλλει τὰ κάτω ἄνω στρέφεσθαι.”

47) Namase, K.(ed.), *Handicapped Persons and Discrimination in Language* (生瀬克己『障害者と差別語』), Publisher Akashi, 1986. Quoted sentences were translated by Hideya Yamakawa.

48) See Vlastos' excellent paper 'Equality and Justice in Early Greek Cosmologies', *Classical Philology* 42, 1947, pp. 156-178

49) Heidegger, M., *Die Zeit des Weltbildes*, Vittorio Klostermann 1950

50) See my Parmenides-study in: Hideya Yamakawa, *Origins of Philosophy and Science* (『哲学と科学の源流』), Chap. 6, Publisher Sekai-Shisô, 1987

51) DK, B62

ἀθάνατοι θνητοί, θνητοὶ ἀθάνατοι, ζῶντες τὸν ἐκείνων θάνατον, τὸν δὲ ἐκείνων βίον τεθνεῶτες.

52) Plato *Symp.* 203e

καὶ οὔτε ὡς ἀθάνατος πέφυκεν οὔτε ὡς θνητός, ἀλλὰ τοτὲ μὲν τῆς αὐτῆς ἡμέρας θάλλει τε καὶ ζῇ, ὅταν εὐπορήσῃ

53) *Ibid*, 216 c-d: Alcibiades declares “εὖ γὰρ ἴστε ὅτι οὐδεὶς ὑμῶν τοῦτον γινώσκει”.

However, we know well a fact that in reality Alcibiades himself does not know Socrates.

***Explanatory Note to the concept "Initial Situation" or "Original Position" in J. Rawls, *A Theory of Justice*, Harvard Univ. Press, 1971**

J. Rawls says that "certain principles of justice are justified because they would be agreed to in an *initial situation* of equality" (p. 21). "Initial situation" or "original position" of equality understood as a purely hypothetical situation (which corresponds to the state of nature in the traditional theory of social contract) (p. 12) is a foundation stone of Rawls' theory of justice, because his conception of justice is firmly rooted on the hypothesis.

Rawls stresses that "the conditions embodied in the description of the original position are ones that we do in fact accept. Or if we do not, then perhaps we can be persuaded to do so by philosophical reflection" (p. 21) and that "the idea of the original position" is "an exposing device which sums up" the meaning of justice as fairness and his conception of the original position has an "intuitive" character (p. 22). But these contentions are, I think, rather weak. What kind of intuitive charater does the notion of original position have? By what sort of philosophical reflection should we are persuaded to accept the notion? I do not think Rawls could not successfully give us any sufficient explanations.

Rawls' conception of original position is guided by the following ideas:

- 1) "No one should be advantaged or disadvantaged by natural fortune or social circumstances in the choice of principles.

It should be impossible to tailor principles to the circumstances of one's own case." (p. 18)

- 2) "Men are to decide in advance how they are to regulate their claims against one another and what is to be the foundation charter of their society" (p. 11)

Thus, according to Rawls, men are to be *equal* in the choice of

principles, in other words, the individuals are to be in *symmetrical* relations to each other. Rawls demands a hypothetical situation wherein individuals are to be in *a veil of ignorance* of their innate dispositions or social circumstances (p. 12). It is noteworthy here to see a fact that Rawls identifies the individuals *in a veil of ignorance* with "moral persons", in other words, with "rational beings" having "a sense of justice" (p. 12). However, is it really self-evident that the individuals in a veil of ignorance have a sense of justice sufficient to choose principles of justice? Why could an ignorant person be identified with a rational being and choose justly the principles? Why could persons in the veil of ignorance be regarded as equal and symmetrical to each other and who is a person covered with the veil?

Rawls distinguishes hypothetically the persons in initial situation from the persons in society, in other words, from the persons "who in their relations to one another recognize certain rules of conduct as binding and who for the most part act in accordance with them," albeit who "are not indifferent as to how the greater benefits" and "prefer a larger to a lesser share" (p. 4). It seems to me that the distinction is not only "exposing", but also *ontological*, or at least presupposes implicitly an ontological basis, whereas Rawls does not present us such an explanation.

Rawls' argumentation about "original position" is the most interesting one in recent discussions of justice, I think, because it seems to demand an ontological examination of the theory of justice. Let me try to outline such an ontological version in line with Rawls' theory of justice. The principal object of my argumentation consists in the following. That is, Rawls' "original position" can be interpreted as a kind of machinery of "Grenzsituation" and only when so understood the hypothesis acquires its ontological foundation. We are now in the domain of "phaenomenologische Ontologie."

In reality, we are permitted to regard Rawls' descriptions con-

cerning "original position" as an ontological investigation of human affairs from phenomenological viewpoint of "contingency". The word "contingency" or the cognate words occur frequently in Rawls' descriptions of "original position" such as: "fortune", "accidents", "chance", "contingencies" of our natural "endowment" and various distributions in social circumstance.

Thus, natural assets and abilities such as intelligence, strength as well as social position or status are regarded as "contingencies" and as ones to be "nullified". The essential part of the "veil of ignorance" consists in "cut" operation of "fair" persons, in other words, "equal" or "symmetrical" beings to each other from all these contingent conditions. Through the operation a moral and rational being as a denominator is left behind. Here, a significant question arises. Is it truly necessary for the denominator himself to exist here and now in the world? Individual denominators in question are "equal" and "symmetrical" to each other, thus, they are themselves essentially *disjunctive* to each other and replaceable with any other. Ontologically they are themselves possible to be non-existent (*δυνατὸν μὴ εἶναι*) so that they are contingent beings. They are in existence as *"οὐχ ἡ αὐτό ἀλλ' ἡ ἕτερον"* (Aristotle, *Met.*, 4, 30, 1025a), and they have theirs "Grund" "nicht in sich selbst, sondern in Anderem" (Hegel, *Enzyklopädie*, 145, Zusatz). Now, back to Rawls' argumentation I want to raise a question about "nullification" of contingencies. Who is a subject of nullification and how does it take place? I insist that the subjects in question are we individuals and the "nullification" of contingencies, i.e. the identification of essential contingency of ourselves takes place from our awareness of death. Through our awareness of death we realize that our existence in the world is endlessly on the verge of "nothingness". I remember here Japanese philosopher Kuki Shûzô's words about contingency:

"Car la contingence est tangence de l'impossible au possible. On

peut comprendre par retournement le sens générateur de la contingence présent si l'on saisit la possibilité infime a l'intérieur de la contingence et, couvant la contingence future, on developpe la courbe de l'action". (Kuki Shûzô, *La probleme de la contingence*, Éditions de l'universite de Tokyo, 1966)

What is the most fundamental basis for the problem of justice? What answers this question is, I think, the self-awareness of ourselves as *θυνητοί*.